

**EXHIBIT 21**  
**Excerpts from**  
**Ryan Evans**  
**Deposition, Vol. I,**  
**10/25/18**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ESTATE OF TASHI S. FARMER a/k/a )  
5 TASHII FARMER a/k/a TASHII BROWN,)  
by and through its Special )  
6 Administrator, Lorin Michelle )  
Taylor; TAMARA BAYLEE )  
7 KUUMEALIMAKAMAE FARMER DUARTE, a)  
minor, individually and as )  
8 Successor-in-Interest, by and )  
through her legal guardian, )  
9 Stevandra Lk Kuanoni; ELIAS BAY )  
KAIMIPONO DUARTE, a minor, )  
10 individually and as Successor-in-)  
Interest, by and through his )  
11 legal guardian, Stevandra Lk )  
Kuanoni, )  
12 )  
Plaintiffs, )  
13 vs. ) Case No.  
14 LAS VEGAS METROPOLITAN POLICE ) ) 2:17-cv-01946-JCM-PAL  
DEPARTMENT, a political )  
15 )  
\_\_\_\_\_  
(Caption continued on page 2.) )  
16 )

VIDEOTAPED DEPOSITION OF SERGEANT RYAN EVANS  
Las Vegas, Nevada  
Thursday, October 25, 2018  
Volume I

22       Reported By:  
23       BARBARA R. JUSTL  
24       CCR No. 878  
25       Job No. 3058586B  
25       PAGES 1 - 53

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| <p>1 We do the refreshers for defensive tactics for the<br/>2 instructors throughout the year, and we also put on three<br/>3 defensive tactic schools per year to certify officers to<br/>4 be defensive tactics teachers. So I usually supervise<br/>5 those sometimes if I'm available. If I'm not available, 15:33:27<br/>6 I'm present at those. But normally it's my staff that<br/>7 does the teaching.</p> <p>8 Q And do you train with your staff on applying a<br/>9 lateral vascular neck restraint?</p> <p>10 A When I have the time.</p> <p>11 Q What does that mean?</p> <p>12 A Just depends. A lot of times I have to go to SME<br/>13 briefs for officer-involved shootings. I have to sit on<br/>14 the Use of Force review boards as a tactical expert. So<br/>15 just depends on if I'm available at the time. That's<br/>16 really it. Just depends on what my schedule looks like 15:33:59<br/>17 throughout the week, the month, the year.</p> <p>18 Q Do you train with your officers on how to escape<br/>19 from a rear naked choke?</p> <p>20 A We do teach how to escape from one. Actually, we<br/>21 do.</p> <p>22 Q Would you take a look at the document that's<br/>23 before you.</p> <p>24 A Uh-huh.</p> <p>25 Q That document has been previously marked as</p> | <p>1 90 percent of them, as an estimate. 15:35:30<br/>2 Q When you say 90 percent, do you have a -- can you<br/>3 give me an actual number?</p> <p>4 A 15, 20.</p> <p>5 Q That's the 90 percent?</p> <p>6 A Yeah, I would say that I've been involved in.<br/>7 Could be higher, could be lower. I've never kept track.</p> <p>8 Q And is your role always as a tactical expert?</p> <p>9 A Yes, sir.</p> <p>10 Q In this situation, one of the officers that was 15:35:59<br/>11 being examined was a sergeant, Sergeant Crumrine. Do you<br/>12 serve as a -- besides a tactical expert, do you serve as<br/>13 a peer member?</p> <p>14 A No, I do not.</p> <p>15 Q So your role in this Tactical Review Board was<br/>16 limited strictly to being a tactical expert?</p> <p>17 A Correct.</p> <p>18 Q Could you tell us, please, how you went about 15:36:28<br/>19 considering the evidence or information in this case,<br/>20 what was provided to you, what did you read, that sort of<br/>21 thing?</p> <p>22 A Prior to what?</p> <p>23 Q Well, okay, that's a good question.</p> <p>24 Did you have a meeting together with the other<br/>25 members of the Tactical Review Board on at least one</p> |
| <p>Page 14</p> <p>1 Exhibit 1 to the deposition of Assistant Sheriff Kelly -- 15:34:29<br/>2 A Okay.<br/>3 Q -- earlier today.<br/>4 Have you ever seen this document?<br/>5 A I have.<br/>6 Q When did you last see it?<br/>7 A Yesterday.<br/>8 Q And yesterday did you read it through?<br/>9 A Not in its entirety. I skimmed through it.<br/>10 Q Prior to yesterday, had you ever seen this<br/>11 document before?<br/>12 A I have not.<br/>13 Q Do you recall being assigned to this Tactical 15:35:00<br/>14 Review Board?<br/>15 A Yes, I do.<br/>16 Q Who assigned you?<br/>17 A I couldn't say exactly who assigned me. I know<br/>18 that I get an email when my presence is needed at a<br/>19 review board.<br/>20 Q I take it that you are frequently assigned to<br/>21 review boards?<br/>22 A I am, yes, sir.<br/>23 Q Before this review board, do you have an estimate<br/>24 of how many review boards you had been assigned to?<br/>25 A I would say over the last two years, probably</p>  | <p>Page 16</p> <p>1 occasion?<br/>2 A We have a meeting reference every review board.<br/>3 It's called an SME brief. But I can't tell you if there 15:36:59<br/>4 was members there or not, because I don't remember who<br/>5 was there.<br/>6 Q Okay. SME stands for subject matter --<br/>7 A Subject matter expert. Sorry, I didn't mean to<br/>8 talk over you.<br/>9 Q That's all right. It's easy to do, I'm short.<br/>10 So -- so you participated in SME brief discussion?<br/>11 A For the Lopera case, yes.<br/>12 Q For the Lopera. Did you address the tactics of 15:37:28<br/>13 Ken Lopera?<br/>14 A Yes, we did.<br/>15 Q Did you address the tactics of Sergeant Crumrine?<br/>16 A Yes, we did.<br/>17 Q And did you discuss the tactics of Officers Tran,<br/>18 Flores and Lif?<br/>19 A Yes, we did.<br/>20 Q Now, before you had this meeting where you<br/>21 discussed things, were you given anything to read and<br/>22 review?<br/>23 A Before the SME briefs, no.<br/>24 Q After the SME briefs, were you given any 15:37:58<br/>25 information to read?</p>  |

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| <p>1 from the whole call.</p> <p>2 It's not one specific area. It would start from 15:42:58</p> <p>3 the beginning, like preplanning and stuff like that,</p> <p>4 depending on the type of incident.</p> <p>5 Q Who made the presentation on behalf of -- the</p> <p>6 PowerPoint presentation?</p> <p>7 A I don't recall that.</p> <p>8 Q Was it a female officer?</p> <p>9 A I don't recall.</p> <p>10 Q Take a look at page 3 of that document. And in 15:43:26</p> <p>11 the lower right-hand corner there's a Bates stamp</p> <p>12 LVMPD 3771.</p> <p>13 A Okay.</p> <p>14 Q Beneath the blackened area, it says, "camera</p> <p>15 showed Officer Lopera immediately placed his right hand</p> <p>16 on top of Farmer's head, similar to the hand placement of</p> <p>17 a rear naked choke. There appeared to be no attempt to 15:43:57</p> <p>18 obtain the proper grip for the LVNR, as taught by LVMPD."</p> <p>19 And you've already told us about the grip. The</p> <p>20 hands were not married. Do you have any way to agree or</p> <p>21 disagree that the right hand on the top of the head was</p> <p>22 similar to the hand placement of a rear naked choke?</p> <p>23 A I'm going to have to disagree on the fact that I</p> <p>24 only train on department tactics. I don't train outside</p> <p>25 the department. So other than the LVNR and just grabbing 15:44:27</p>  | <p>1 A It says, "CIRT's review showed," so I'd have to</p> <p>2 assume.</p> <p>3 Q Are you able to agree or disagree or have no 15:45:58</p> <p>4 comment on any aspect of this paragraph?</p> <p>5 A What would you specifically like to know?</p> <p>6 Q Let's start he tased him seven times for a total</p> <p>7 duration of 39 seconds.</p> <p>8 A The video showed that.</p> <p>9 Q You saw?</p> <p>10 A Correct.</p> <p>11 Q He struck Farmer in the face 13 times.</p> <p>12 A That he struck him several times. I don't</p> <p>13 remember if that's the exact count, but you can ascertain</p> <p>14 from the video that he struck him.</p> <p>15 Q Review of the camera showed Farmer had his hands 15:46:27</p> <p>16 up in a protective manner around his face.</p> <p>17 A Don't recall.</p> <p>18 Q Officer Lopera instructed Farmer to get on his</p> <p>19 stomach numerous times without realizing Farmer was on</p> <p>20 his stomach.</p> <p>21 Do you remember that or no?</p> <p>22 A I remember him telling him several times, but I</p> <p>23 don't remember what the video actually showed.</p> <p>24 Q "Officer Lopera was also told several times to let</p> <p>25 go, however, the Venetian Surveillance Video showed more</p>   |
| <p style="text-align: right;">Page 22</p> <p>1 somebody and choking them by the neck, I wouldn't have</p> <p>2 any outside training or knowledge on how to properly do</p> <p>3 any other techniques.</p> <p>4 Q Okay. So it's not that you disagree; you don't</p> <p>5 know?</p> <p>6 A Correct.</p> <p>7 Q Okay, I got you.</p> <p>8 It says, "CIRT's review showed" -- next</p> <p>9 paragraph -- "CIRT's review showed Officer Lopera had</p> <p>10 tased Farmer 7 times for a total duration of 39 seconds.</p> <p>11 He struck Farmer in the face 13 times. Review of the</p> <p>12 camera showed Farmer had his hands up in a protective 15:45:00</p> <p>13 manner around his face, while Lopera -- "Officer Lopera</p> <p>14 maintained a dominant position over Farmer. Officer</p> <p>15 Lopera instructed Farmer 'to get on his stomach' numerous</p> <p>16 times without realizing Farmer was on his stomach.</p> <p>17 Officer Lopera was also told several times to let go,</p> <p>18 however, the Venetian Surveillance Video showed more than 15:45:26</p> <p>19 one minute and 12 seconds had elapsed from the time</p> <p>20 Officer Lopera initiated the neck restraint and the time</p> <p>21 Farmer was released from the neck restraint. Farmer's</p> <p>22 behavior or resistance level never appeared to be</p> <p>23 aggressive as described by Officer Lopera."</p> <p>24 Now this information I assume came from the CIRT</p> <p>25 report, if you know?</p> | <p style="text-align: right;">Page 24</p> <p>1 than one minute and 12 seconds had elapsed from the time 15:46:59</p> <p>2 Officer Lopera initiated the neck restraint and the time</p> <p>3 Farmer was released from the neck restraint."</p> <p>4 Do you remember that?</p> <p>5 A Yes.</p> <p>6 Q "Farmer's behavior or resistance level never</p> <p>7 appeared to be aggressive as described to Officer</p> <p>8 Lopera."</p> <p>9 The question is, do you know the difference</p> <p>10 between active resistance and aggressive resistance?</p> <p>11 A Absolutely.</p> <p>12 Q Do you agree with that sentence that his behavior 15:47:28</p> <p>13 never appeared to be aggressive?</p> <p>14 A I agree with that statement.</p> <p>15 Q Take a look at page 6, please, the top of the</p> <p>16 page. "CIRT concluded the use of strikes by Officer</p> <p>17 Lopera was not within standardized LVMPD tactics,</p> <p>18 training and policy." 15:47:59</p> <p>19 Do you agree with that?</p> <p>20 A The fact that he wasn't in an aggressive manner,</p> <p>21 yes.</p> <p>22 Q "The autopsy of Farmer showed evidence of</p> <p>23 hemorrhages in his neck. If the LVNR is applied</p> <p>24 correctly, this type of injury should not occur."</p> <p>25 MR. McNUTT: Objection, form, calls for medical</p> |

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| <p>1 testimony.</p> <p>2 THE WITNESS: I couldn't attest to medical</p> <p>3 examinations.</p> <p>4 BY MR. SAYRE:</p> <p>5 Q Okay, that's fine. Down -- further down, it's the 15:48:23</p> <p>6 third paragraph from the bottom, "CIRT concluded Officer</p> <p>7 Lopera's use of the neck restraint was not within</p> <p>8 standardized LVMPD tactics, training and policy."</p> <p>9 Do you agree or disagree?</p> <p>10 A I agree based off what the video showed.</p> <p>11 Q "The Tactical Review Board concluded that as a</p> <p>12 result of the above conclusions in relation to the Threat</p> <p>13 Assessment, Officer Lopera's actions during this incident</p> <p>14 amount to a gross inappropriate use of force."</p> <p>15 Do you agree?</p> <p>16 A I do.</p> <p>17 Q Is that the same thing as excessive force?</p> <p>18 MR. ANDERSON: Objection, form.</p> <p>19 You can go ahead and answer.</p> <p>20 THE WITNESS: I'd have to ask the person who wrote</p> <p>21 that. I've never seen that terminology.</p> <p>22 BY MR. SAYRE:</p> <p>23 Q You haven't seen gross and inappropriate use of 15:49:29</p> <p>24 force?</p> <p>25 A No.</p> | <p>1 Q Why isn't it outside of policy if there's no</p> <p>2 assessment made?</p> <p>3 A I'm sorry, what was that?</p> <p>4 Q Why is it not outside of policy if there's no</p> <p>5 assessment made between uses of force?</p> <p>6 A I know we teach it. I would have to look at the</p> <p>7 policy to see if the wording is actually in there, but I</p> <p>8 just know it's something that we consistently teach as 15:50:59</p> <p>9 far as when you do use force to assess.</p> <p>10 You know, if the suspect's willing to comply, then</p> <p>11 we stop. So I know it's something we train. I would</p> <p>12 actually have to look through the policy manual to tell</p> <p>13 you if it was actually in there or not.</p> <p>14 Q Is one of the reasons that you're required to</p> <p>15 assess the use of force involved is to avoid excessive</p> <p>16 force on the subject?</p> <p>17 MR. McNUTT: Objection, form.</p> <p>18 MR. ANDERSON: Go ahead. 15:51:29</p> <p>19 THE WITNESS: That, yes. Not so much -- well,</p> <p>20 excessive force, but also just if somebody is going to</p> <p>21 end up complying after some type of force, at some point</p> <p>22 you have to assess, giving commands in between.</p> <p>23 BY MR. SAYRE:</p> <p>24 Q Because if a person is complying -- well, strike</p> <p>25 that.</p>   |
| <p>Page 26</p> <p>1 Q So you don't know if that's the equivalent of</p> <p>2 excessive force?</p> <p>3 A Right.</p> <p>4 Q You would agree that it's more than simply</p> <p>5 inappropriate force?</p> <p>6 A Yeah, based off that word.</p> <p>7 Q The use of the word "gross"?</p> <p>8 A And inappropriate.</p> <p>9 Q Right. Take a look at page 8, please. It says, 15:49:52</p> <p>10 "A Board member said, each force application that an</p> <p>11 LVMPD department member uses should be assessed between</p> <p>12 each use of force."</p> <p>13 You agree with that?</p> <p>14 A Correct.</p> <p>15 Q "A Board member said, there were over 20</p> <p>16 applications of force. Did anyone else see any</p> <p>17 assessment?</p> <p>18 "SME Bland stated there were opportunities to</p> <p>19 assess, but no assessment was made."</p> <p>20 Do you agree?</p> <p>21 A I do.</p> <p>22 Q Those would be -- that would be outside of policy, 15:50:25</p> <p>23 failing to assess?</p> <p>24 A We teach it. I wouldn't say it's outside of</p> <p>25 policy, but it's what we do teach and we prefer.</p>  | <p>Page 28</p> <p>1 If a person is either complying or has gone</p> <p>2 unconscious, you have to relieve the force that you were</p> <p>3 using on a person's neck, right?</p> <p>4 A Yes. If you know they have gone unconscious, then 15:51:57</p> <p>5 you would relieve the pressure. Doesn't mean you relieve</p> <p>6 the LVNR completely, but you at least release the</p> <p>7 pressure.</p> <p>8 Q If a person, subject, is not supplying any</p> <p>9 resistance, and I'm going to represent to you that's what</p> <p>10 Officer Tran said, do you have to relieve the LVNR?</p> <p>11 A No. You would relieve the pressure if you applied</p> <p>12 the pressure, but you do not have to release the LVNR in 15:52:27</p> <p>13 and of itself.</p> <p>14 Q Officer Crumrine told Officer Lopera two or three</p> <p>15 times to let go. Did Officer Crumrine have a duty to</p> <p>16 check and make sure that he had let go?</p> <p>17 A No.</p> <p>18 Q Why not?</p> <p>19 A We do not teach that. So I don't know what he</p> <p>20 meant by let go. I've never spoken to him on it, so I</p> <p>21 don't know if he meant to let go or release pressure. I</p> <p>22 don't know what he meant by that. But we do not teach to 15:52:58</p> <p>23 let go until they're in custody.</p> <p>24 Q Okay. But if a person is unconscious, are you</p> <p>25 required to let go?</p> |

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| <p>1 A No, you're required to release pressure.</p> <p>2 Q If a person is not expressing any resistance, is</p> <p>3 that the same as being unconscious?</p> <p>4 A No.</p> <p>5 MR. ANDERSON: Objection to form.</p> <p>6 Go ahead.</p> <p>7 THE WITNESS: It's not.</p> <p>8 BY MR. SAYRE:</p> <p>9 Q So you keep the LVNR compressing if a person is</p> <p>10 not expressing any resistance?</p> <p>11 A No. So when you encircle somebody sometimes --</p> <p>12 our goal to use LVNR is to gain compliance and control</p> <p>13 from a subject who isn't being compliant and is most</p> <p>14 likely aggressive.</p> <p>15 At the time it was an active, so a subject that's</p> <p>16 being active, we would have a right to go and encircle</p> <p>17 them. Just encircling somebody and using the proper</p> <p>18 placement can gain compliance and control. So you can</p> <p>19 use that without any pressure.</p> <p>20 Now, if you decide to use pressure and they're</p> <p>15:53:58 like, okay, okay, okay, then you would relieve pressure,</p> <p>21 but I still would not get rid of the control part of it,</p> <p>22 the encircle of it.</p> <p>24 Q If a person like Officer Lopera is using a rear</p> <p>25 naked choke --</p>                                      | <p>1 know is that there's an officer who's on the ground who's</p> <p>2 in what is perceived to be a struggle with an individual.</p> <p>3 So without them being knowledgeable to what led up to</p> <p>4 what they saw when they arrived, I would absolutely say</p> <p>5 no.</p> <p>6 BY MR. SAYRE:</p> <p>7 Q Do you teach through your program that officers</p> <p>8 are permitted to use a rear naked choke?</p> <p>9 A We do not teach that. We teach the escape, and</p> <p>15:55:28 10 when we teach the escape, we tell them that, hey, this is</p> <p>11 not an approved technique. But we also teach that when</p> <p>12 you're in a deadly force situation, you have to do what</p> <p>13 you have to do to survive.</p> <p>14 Q Well, what does that mean? Does that mean that</p> <p>15 they can use the rear naked choke even though it's</p> <p>16 prohibited?</p> <p>17 A If they're found in a deadly force situation, they</p> <p>18 could use a pencil, they can use a key, they can use</p> <p>19 whatever they want. At that point in time, if it's a</p> <p>15:55:57 20 life or death situation, they have to survive. Everybody</p> <p>21 in this room has to survive.</p> <p>22 Q Right. If the three officers that were</p> <p>23 surrounding Officer Lopera see him exercising a rear</p> <p>24 naked choke, and he's told by the sergeant to release it,</p> <p>25 do they have a duty to intervene to make sure that he</p> |
| <p>Page 30</p> <p>1 MR. McNUTT: Objection, form.</p> <p>2 THE WITNESS: I can't --</p> <p>3 MR. SAYRE: I haven't finished my question.</p> <p>4 THE WITNESS: Sorry.</p> <p>5 BY MR. SAYRE:</p> <p>6 Q If a person like Officer Lopera is using a rear</p> <p>7 naked choke, is that hold prohibited by the Metropolitan</p> <p>8 Police Department?</p> <p>9 MR. McNUTT: Objection, form.</p> <p>10 THE WITNESS: A individual who used one is</p> <p>15:54:29 prohibited except for a deadly force situation.</p> <p>12 BY MR. SAYRE:</p> <p>13 Q Okay. All right. If the officers who were</p> <p>14 surrounding Officer Lopera were aware that he was using a</p> <p>15 rear naked choke -- I'm talking about Sergeant Crumrine,</p> <p>16 Officer Tran, Officer Flores -- do they have a duty to</p> <p>17 intervene to basically stop the application of the rear</p> <p>18 naked choke?</p> <p>19 MR. ANDERSON: Objection, incomplete hypothetical.</p> <p>20 Go ahead and answer.</p> <p>21 THE WITNESS: Okay. No, they don't, because they</p> <p>22 don't know what led up to that. They don't know if that</p> <p>15:54:58 23 individual had pulled a knife on him, if that individual</p> <p>24 pulled a gun on him.</p> <p>25 At the point in time when they arrived, all they</p> | <p>Page 32</p> <p>1 releases it?</p> <p>2 A Can you repeat that?</p> <p>3 Q Sure. If Officer Lopera is applying a rear naked</p> <p>4 choke and he's told by Sergeant Crumrine to release it,</p> <p>15:56:29 5 do the officers have a duty to intervene to make sure</p> <p>6 that he releases it?</p> <p>7 MR. ANDERSON: Objection, form.</p> <p>8 Go ahead and answer.</p> <p>9 THE WITNESS: If they're aware of the facts and</p> <p>10 circumstances that led up to that that don't amount to a</p> <p>11 deadly force situation, then they would.</p> <p>12 BY MR. SAYRE:</p> <p>13 Q Do you see any justification in the video for the</p> <p>14 use of a rear naked choke in this situation?</p> <p>15 A No.</p> <p>16 Q Was the application of a rear naked choke,</p> <p>15:56:59 17 assuming that that's what was applied, excessive force?</p> <p>18 MR. McNUTT: Objection, form.</p> <p>19 MR. ANDERSON: Objection, form.</p> <p>20 THE WITNESS: If that was what was applied, I</p> <p>21 would say yes.</p> <p>22 BY MR. SAYRE:</p> <p>23 And if that was what was applied under the facts</p> <p>24 of this situation as you've seen in the video, did the</p> <p>25 three standby or bystander officers, Crumrine, Flores and</p>  |

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| <p>1 does.</p> <p>2 Q Right. And the recommendation from the national<br/>3 center is that you supply four hours of yearly training,<br/>4 correct?</p> <p>5 A I don't recall.</p> <p>6 Q You don't know. Who decided on two hours?</p> <p>7 A It's been that way since I've been on the 16:02:01<br/>8 department, so I couldn't tell you.</p> <p>9 Q Okay. There's some statements, take a look at<br/>10 page 12. Top of the page it says, "CIRT concluded by 16:02:23<br/>11 failing to ensure Officer Lopera released the neck<br/>12 restraint after being ordered to do so, Sergeant Crumrine<br/>13 was in neglect of duty as a supervisor. In addition, in<br/>14 reviewing supervisory tech response, CIRT concluded<br/>15 Sergeant Crumrine's response was not within standardized<br/>16 LVMPD tactics, training and policy."</p> <p>17 Did you agree with that?</p> <p>18 A I do agree with it to an extent. I believe that 16:02:58<br/>19 he showed up with the intent to intervene. I believe he<br/>20 could do it a better way. I believe he could have been<br/>21 more direct on how he wanted things. 16:03:28</p> <p>22 Q What do you mean by "more direct"?</p> <p>23 A He could have -- there's other things that he<br/>24 could have done as a supervisor, or any officer on scene<br/>25 if they wanted to make themselves more clear on what he</p> | Page 38 | <p>1 Q Do you remember who said it?</p> <p>2 A No, I do not.</p> <p>3 Q But it was one of the members of the Tactical<br/>4 Review Board?</p> <p>5 A This statement could have been at the Tactical<br/>6 Review Board, or it could have been at the SME brief. It<br/>7 would have been one of the two.</p> <p>8 Q What do you think it means when it says, "A Board<br/>9 member said"? 16:04:59</p> <p>10 MR. ANDERSON: Objection, speculation.</p> <p>11 Go ahead.</p> <p>12 THE WITNESS: Some of the statements that I've<br/>13 read reference or comments that I've read, some of the<br/>14 ones that you had read before by Mike Bland, it says,<br/>15 "Board member" and it says, "Mike Bland." Well, Mike<br/>16 Bland was the SME brief.</p> <p>17 BY MR. SAYRE:</p> <p>18 Q Well, it never referred to Mike Bland as a board<br/>19 member.</p> <p>20 A No, but it said, "A Board member said," correct?</p> <p>21 Am I correct?</p> <p>22 Q I don't think so. It says what Mike Bland said. 16:05:27</p> <p>23 A What page was that on? It says, "A Board member<br/>24 said, there was over 20 applications of force. Did<br/>25 anyone else see any assessment?"</p>   | Page 40 |
| <p>1 wanted.</p> <p>2 So I don't know what he wanted, but I believe the<br/>3 statement is vague, so we don't know exactly what he<br/>4 meant by that. I believe as any officer, whether you're<br/>5 a supervisor or not, if you have an intent, you express<br/>6 that intent more clearly than he did.</p> <p>7 Q He could have directed one of the other officers<br/>8 to physically intervene and remove Officer Lopera's 16:03:58<br/>9 hands?</p> <p>10 A Anybody can.</p> <p>11 Q Could he?</p> <p>12 A Could he?</p> <p>13 Q Yes.</p> <p>14 A Yeah.</p> <p>15 Q Could he himself have intervened and physically<br/>16 removed Officer Lopera's hands?</p> <p>17 A There's nothing that says nobody -- that he nor<br/>18 any other officer can't. They all have a right to if<br/>19 they choose to, but it's all based on circumstances.</p> <p>20 Q Down at the bottom of the page it says, "A Board<br/>21 member said, he is a weak sergeant, he performed weakly<br/>22 and his officer didn't listen to him." 16:04:29</p> <p>23 Do you remember that being spoken?</p> <p>24 A Not -- I vaguely remember it being said. I mean,<br/>25 yeah.</p>  | Page 39 | <p>1 "SME Bland stated that there were opportunities...<br/>2 But no assessments."</p> <p>3 So to me, he's -- Mike Bland is answering that<br/>4 question, and they're referring, they're using the word<br/>5 "Board member," so I don't know exactly. They're kind of<br/>6 contradicting as far as if it was a Use of Force Board or<br/>7 an SME brief that these statements were made in. So I 16:05:59<br/>8 couldn't tell you that any of these statements were made<br/>9 in either one. Clearly it was either the SME brief or<br/>10 during the review boards.</p> <p>11 Q Okay. Let's take a look at page 13, please.</p> <p>12 "A Board member said, part of his job is to look<br/>13 out for his people. He should have taken care of his<br/>14 officer. He didn't understand his job as a sergeant."</p> <p>15 Do you remember that being said?</p> <p>16 A I don't remember that being said, and I really<br/>17 don't understand exactly what they mean by that<br/>18 statement.</p> <p>19 Q "A Board member said, due to Sergeant Crumrine's 16:06:29<br/>20 inaction, his troop ended up killing someone and still<br/>21 did not admit he could have done more."</p> <p>22 Do you remember that being said?</p> <p>23 A I remember he admitted he could not have done<br/>24 more.</p> <p>25 Q I'm asking if you heard this said.</p> | Page 41 |

1 encircled until the time that the encirclement was  
 2 released. There's no way you can tell on video if he was  
 3 applying the pressure for any amount of time via video.  
 4 Q So it would be incorrect for anybody to say that  
 5 pressure was applied for any length of time because no  
 6 one can tell?

7 A The only person that would know that would be  
 8 Lopera himself. 16:20:00  
 9 MR. McNUTT: I have no further questions.

10  
 11 FURTHER EXAMINATION  
 12 BY MR. SAYRE:

13 Q You don't know whether pressure was being applied  
 14 for one minute and 12 second, right?

15 A No, I do not.

16 Q And, in fact, we do know that he died?

17 A That we do know.

18 Q And that is potentially one of the effects of  
 19 maintaining pressure around the neck after a person has  
 20 gone unconscious?

21 MR. McNUTT: Objection, form.

22 THE WITNESS: I don't really know.

23 BY MR. SAYRE:

24 Q Do you know if that's one of the possible effects  
 25 of applying a rear naked choke?

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1  
 2 I, SERGEANT RYAN EVANS, do hereby declare under  
 3 penalty of perjury that I have read the foregoing  
 4 transcript; that I have made any corrections as appear  
 5 noted, in ink, initialed by me, or attached hereto; that  
 6 my testimony as contained herein, as corrected, is true  
 7 and correct.

8 EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_,  
 9 2018, at \_\_\_\_\_, \_\_\_\_\_.  
 10 (City) (State)

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 16 SERGEANT RYAN EVANS  
 17 VOLUME I  
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1 MR. McNUTT: Objection, form.  
 2 THE WITNESS: That I don't know. 16:20:29  
 3 MR. SAYRE: I have nothing further.  
 4 MR. ANDERSON: Thanks. You're done.  
 5 VIDEOGRAPHER: We are now off the record.  
 6 The time is 4:20 p.m.  
 7 This concludes today's testimony given by Ryan  
 8 Evans.  
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1 I, the undersigned, a Certified Court Reporter of  
 2 the State of Nevada, do hereby certify:  
 3 That the foregoing proceedings were taken before  
 4 me at the time and place herein set forth; that any  
 5 witnesses in the foregoing proceedings, prior to  
 6 testifying, were duly sworn; that a record of the  
 7 proceedings was made by me using machine shorthand which  
 8 was thereafter transcribed under my direction; that the  
 9 foregoing transcript is a true record of the testimony  
 9 given.

10 Further, that before completion of the  
 11 proceedings, review of the transcript [XX] was [ ] was  
 12 not requested.

12 I further certify I am neither financially  
 13 interested in the action nor a relative or employee of  
 14 any attorney or party to this action.

15 IN WITNESS WHEREOF, I have this date  
 16 subscribed my name.

17  
 18 Dated: November 8, 2018.  
 19  
 20  
 21  
 22

23 *Barbara K. Justl*  
 24 BARBARA K. JUSTL, RPR  
 25 CCR No. 878

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14 (Pages 50 - 53)